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of Abe Fortas. He has had little training for the position other than being an intimate crony of the President. This may be the President's worst blind spot as he could not see the true Bobby Baker whom he referred to as his strong right arm, nor Walter Jenkins who was his most intimate associate at the White House. In truth, the President got his start from Aubrey Williams whose record reads much like that of Abe Fortas. If Abe Fortas has the qualifications to be a Supreme Court Justice why not let the justice of the peace try capital cases. They would be as prepared as the man who has been tapped to fill the vacancy of Arthur Goldberg.

## APPENDIX I

## INTERNATIONAL JURIDICAL ASSOCIATION

Among the members of the National Citizens Political Action Committee, Carey McWilliams, George Soule, and Bruce Bliven have been affiliated with the International Juridical Association. Carey McWilliams is a member of the national committee of the organization, and Bruce Bliven and George Soule joined in sponsoring one of the organization's public statements. (See Daily Worker, July 25, 1936, p. 2.)

Probably the strongest evidence of the Communist character of the International Juridical Association is to be found in the records of the persons who compose the organization's national committee. Among these persons, we find a substantial nucleus of publicly avowed or provable members of the Communist Party. At the beginning of this study, therefore, we cite a portion of the Communist records of these persons. Subsequently a sketch of the organization's history and policies will add confirming evidence of its Communist character.

## OFFICIALS OF THE INTERNATIONAL JURIDICAL ASSOCIATION

The following persons are officers or national committeemen of the International Juridical Association: George R. Andersen, E. Duke Arnet, Harry Elmer Barnes, David J. Bentall, Alfred Bettman, Clara G. Binswanger, J. M. Bollens, Paul P. Brissenden, Joseph R. Brodsky, Sylvan Bruner, Eugene Cottom, Paul Coughlin, John P. Davis, Richard A. Dowling, George Clifton Edwards, Thomas I. Emerson, Isaac E. Ferguson, Arthur Fisher, Abe Fortas, Osmond K. Fraenkel, Alexander H. Frey, Leo Gallagher, Lloyd K. Garrison, Walter Gellhorn, Irvin Goodman, Herman A. Gray, Nathan Greene, George G. Groat, Aubrey Grossman, Robert L. Hale, Pearl M. Hart, Isaac S. Heller, Jerome H. Hellerstein, R. W. Henderson, Edward Henry, Charles H. Houston, Henry T. Hunt, Abraham J. Iserman, Isidore Katz, Robert W. Kenny, Paul J. Kern, Carol King, Joseph Kovner, Edward Lamb, Yetta Land, Mark Lauter, George B. Leonard, Arthur LeSeuer, Elias Lieberman, Max Lowenthal, Phurgood Marshall, Jerome Michael, Louis P. McCabe, Carey McWilliams, David K. Miles, William L. Nunn, Patrick H. O'Brien, Joseph A. Padway, Chad Poller, Justine Wise Poller, Lee Pressman, Samuel L. Rothbard, Ralph Seward, Malcolm Sharn, Anthony Wayne Smith, Perry J. Stearns, Maurice Sugar, A. Ovrum Tapper, Colston E. Warne, Herbert T. Wealer, Ruth Weyland, Carle Whitehead, Roy Wilkins, A. L. Wirin, Nathan Witt, David Ziskind.

## APPENDIX II

## AMERICAN LAW STUDENT'S ASSOCIATION

(Woodworth Building, Room 530,  
New York, N. Y.)

## FACULTY ADVISORY BOARD

Northwestern University School of Law;  
Dean Leon Green.

New York University; Dean Frank Sommers; Prof. F. D. Slover; Prof. Augustin Derby; Prof. William Walsh; Prof. Herman Grey.

St. John's University; Vice Dean John Maloney; Prof. D. S. Edgar, Sr.; Prof. D. S. Edgar, Jr.

Columbia University; Prof. Elliot Cheatham; Prof. Walter Gellhorn; Prof. Philip Jessup.

Brooklyn Law School; Prof. Jerome Prince; Prof. Abraham Rotwein.

Yale Law School; Prof. Fred Rodell; Prof. Abe Fortas.

## NATIONAL EXECUTIVE BOARD

Robert Page, president.

Thomas Levinia, vice president.

Morris Engel, secretary.

Norman Leonard, treasurer.

## PROPOSED CONSULAR CONVENTION WITH THE SOVIET UNION

The SPEAKER. Under previous order of the House, the gentleman from Illinois (Mr. DERWINSKI) is recognized for 15 minutes.

Mr. DERWINSKI. Mr. Speaker, last week the astute Senator from Arkansas (Mr. FULBRIGHT) quietly slipped, or, as I prefer to call it, railroaded through the Senate Committee on Foreign Relations the Consular Convention with the Soviet Union, to which the Senate will be asked to give its advice and consent.

It is interesting to note that a treaty containing such vast implications slipped through after one executive hearing, one public hearing, and one executive session of the committee. The only witnesses to be heard at both the executive and public hearing were the Secretary of State, Mr. Rusk, and his legal adviser, Mr. Leonard C. Meeker. To the best of my knowledge, no other Government officials were invited to appear, and individuals and organizations of citizens were denied the opportunity to express their opinions before the committee.

There are significant threats to the United States in the acceptance of this treaty, the most obvious being the Soviet practice of using consulates for espionage purposes. In addition, Communist governments have been known to use their consular activities for forms of bribery and pressure on U.S. citizens who have relatives in Communist lands or who have inherited property therein.

Furthermore, the question of establishing consulates obviously jeopardizes the policy whereby our Government does not recognize the forcible incorporation of Lithuania, Latvia, and Estonia into the U.S.S.R. If we should, for example, establish consulates in any of the Baltic States, it would represent a de facto recognition of Soviet control which would be an international triumph for communism. Two other major cities in the U.S.S.R. where the Russians might suggest we would establish a consulate are Minsk, the capital of Byelorussia, and Kiev, the capital of Ukraine. These two states have voting rights at the United Nations. It would be a mockery of justice to consider consular offices there. I call the attention of the House to the bill I have introduced to express the sense of the Congress that the U.S. Government should establish direct diplomatic relations with the Governments of the

Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic, as a means of dramatizing the Soviet captivity of those lands.

Furthermore, during the hearings it was disclosed that the Soviet Union does not maintain any consulate in the Western Hemisphere. The acquiescence of the United States to Soviet consulates would set an obvious precedent that would soon find the Communist rulers of Moscow spreading their influence in Latin America by means of consular activities. What Latin American government could refuse the request for a consulate after the leader of the free world has extended this benefit to the rulers of the Kremlin?

Mr. Speaker, although the ratification of a treaty is the prerogative of the Senate, this is no valid reason for concerned Members in the House to sit back and watch a treaty being railroaded through the Senate Foreign Relations Committee for blind ratification by the other body. For over a year the chairman of the Senate Foreign Relations Committee avoided the obligation of public hearings on the vital consular convention with the U.S.S.R. and finally, in an arbitrary and undemocratic manner, curbed the hearings and railroaded the convention through the Senate Committee.

There is far more to this treaty than hits the eye. Senate objections so far voiced in opposition to it have been largely marginal in substance. In railroad the treaty proponents have been negatively counting on such marginal objections to obtain a quick Senate ratification. For over a year they feared exposing the treaty to open public hearings where more substantial criticisms of this Moscow-pleasing treaty could be heard.

There is still a chance to correct this wrong if the responsible Members of the Senate vote to return the treaty to the Senate Foreign Relations Committee for an open and frank discussion of this poorly drawn and ill-conceived Convention. Without all aspects of this defective treaty carefully discussed and debated, a blind ratification by the Senate would only compound the wrong already committed.

Mr. Speaker, in view of the very perfunctory manner in which the Senate Foreign Relations Committee studied this consular convention, I am asking the chairman of the House Foreign Affairs Committee to conduct a full-scale inquiry into the impact the ratification of the treaty might have on United States-Soviet relations, as well as the complications it would cause in the free world.

Mr. Speaker, I further point out that the Soviet Union is aggressively engaged in aiding the Communist war effort in South Vietnam. We are aware that Soviet-manned missiles are in North Vietnam and presumably are responsible for shooting down American aircraft.

Evidently in return for direct Soviet involvement against our boys in Vietnam, we will reward the Kremlin by permitting them to establish consulates in this country and, may I point out, grant their consular officials diplomatic immunity.

This is the wrong time for this treaty. There is much less emphasis from Mos-

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now these days on peaceful coexistence Moscow's features, as far as they face the West and specifically the United States, are obviously an unconcealed Soviet Moscow's voice—except, so far, on economic and commercial matters—is becoming harsh and growling.

We further recognize, Mr. Speaker, that there cannot be any legitimate trade as we know it with the Soviet Union. Their persistent disrespect for patent and copyright laws, their desire for items to help their military and heavy industry, their disregard for the consumer demands of their own citizens, their willingness to dump items at a loss on the world market—all give evidence of the impracticability of basic trade relations with the Moscow dictatorship. Obviously, this consular convention cannot be of commercial value to us.

May I point out to the House that millions of American have close relatives in Latvia, Lithuania, and Estonia, Armenia, Ukraine, Byelorussia, and other non-Russian nations of the Soviet Union. All Communist governments have shown a disrespect for property and inheritance rights of U.S. citizens. The failure to extract effective concessions or to obtain a guarantee of a change in policy by the U.S.S.R. in this consular convention renders it meaningless in this area. The possibility of coercion, bribery, even blackmail are evident if Soviet consular officials have the freedom to roam throughout the United States.

In the brief hearings held in the Senate, the Secretary of State naively explains that the location for possible consulates has not been discussed. I find this statement impossible to believe. According to Mr. Rusk, preliminary discussions were held in 1961 and serious discussions commenced in 1963. Certainly, in all the time that has elapsed, some discussion must be held as to where the Soviets hoped to place their consular offices. The treaty does not even specify strict reciprocity in the number of consular locations.

It might well be, Mr. Speaker, that the Soviets will request permission to establish a consulate in Cocoa, Fla.; Columbus, Ga.; and Los Alamos, N. Mex., where they could not only conduct commercial activities but be adjacent to our facilities at Cape Kennedy, Fort Benning, and Los Alamos Proving Grounds.

Mr. Speaker, may I quote the Secretary of State:

And to the extent, sir, that we can build some peace in the world and establish normal relations, the problems raised by espionage diminish. It is in periods of tension and crisis and controversy and rivalry and armed confrontations where the problem of espionage grows.

If I understand administration explanations properly, the problem of armed confrontation and the controversy in Vietnam grow as Soviet support of the Communist forces there increases. Therefore, by Secretary Rusk's own words, this is the wrong time for us to enter into this consular convention.

Mr. Speaker, an excellent background to this issue is furnished by the National Captive Nations Committee which has consistently called for open and honest

hearings on this treaty. I include the committee's appeals to Senator Fulbright as part of my remarks, followed by an incisive article written by the committee's chairman, Dr. Lev E. Dobriansky, of Georgetown University, titled "The Second Treaty of Moscow".

August 3, 1965

Hon. J. W. FULBRIGHT,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Interested groups and citizens have waited over a year now for a frank and open discussion of the second treaty of Moscow, namely the consular convention with the U.S.S.R. The on-and-off faucet treatment since June 1964 evidently suggests fearful doubt on the part of the treaty's advocates as to the prospect of its ratification by the Senate.

In one of the "on" phases of this grand maneuver, recent press accounts e.g., "Hearing Due on Russian Consular Pact," the Washington Post, July 22, 1965, have announced that the hearings will not be definitely held. However, to our amazement, a member of your staff, Mr. Carl Marcy, stated in a letter addressed to me and dated July 23, 1965, that except for the appearance of Secretary Rusk, "it is not known at this time whether the committee will call other governmental or public witnesses on the convention."

We sincerely hope that this does not mean the contemplation of a further maneuver of running this ill-advised and harmful treaty down the throats of our people without fair and open hearings. This committee strongly urges the calling of such hearings now.

The implications of this treaty are far greater and more disadvantageous to us than most Americans are aware of. A blind ratification by the Senate would mean a tremendous diplomatic victory for imperio-colonialist Moscow. By virtue of his antiquated and misleading conceptions of the Soviet Union, which even the late Adlai E. Stevenson tactfully repudiated in November 1961, Secretary Rusk can scarcely be regarded as the sole, adequate witness. The treaty is based on false political assumptions; in terms of objective reality as against an arbitrary arrangement between the Department of State and the Moscow totalitarianists, it is subject to legal question; and by virtue of the basic shortcomings, the treaty as drawn stands to make mockery of numerous official pronouncements.

The reasons justifying these points should be openly discussed before the Senate acts on any ratification of this treaty. We trust in your sense of fairness to make this possible. With kindest regards and best wishes,

Sincerely,

LEV E. DOBRIANSKY,  
Chairman.

August 4, 1965

Hon. J. W. FULBRIGHT,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The action taken by your committee on the Consular Convention with the U.S.S.R. without frank and open public hearing confirms the first point in our letter of August 3, namely the fearful doubt on the part of the treaty's advocates as to the prospect of its ratification by the Senate.

Those who speak piously and loudly about extremist and the constant need for open and critical democratic discussion of our foreign policy might well, in the quiet of their conscience, reflect on the gross discrepancies between their words and their deeds. This action of foreclosing public discussion of a treaty, which even conceptually and legally is contradictory and fallacious in parts, cannot but be viewed as the very negation of the democratic process.

As I have pointed out in an article on "The Second Treaty of Moscow" (CONGRESSIONAL RECORD, Feb. 8, 1965 pp. 2118-2122) a blind ratification of the Convention would form another chapter in our long, inept dealings with the Russians and expose us to the charge of being a nation of hypocrites when the President and others proclaim our "devotion to the just aspirations of all people for national independence and human liberty." This treaty is a confirmation of Russia's imperio-colonialism within the U.S.S.R. and further evidence of our diplomatic ineptitude in the cold war, not to say our grave lack of understanding of America's prime enemy. The tragedy of all this is that, like in Vietnam, our people have to pay for such ineptitude and failure in blood and treasure.

Sincerely yours,

LEV E. DOBRIANSKY,  
Chairman.

THE SECOND TREATY OF MOSCOW  
(By Lev E. Dobriansky)

At the close of 1964 the American people seemed to desire peace above all else. According to a reliable pollster, about 85 percent of the American public favored the partial test ban treaty with "Russia," this despite the doubtless advances made by Moscow from its previous supermegatonic tests. Approximately 81 percent felt that by keeping militarily strong we could avoid a global war; the prospect of being cornered in such a disastrous conflagration through continued cold war advances by the Red totalitarianism was not considered. And some 63 percent, ignorant of or wishfully impervious to all past experience, advocated attempts at reaching agreements with the totalitarian regimes in the hope of realizing world peace regardless of the enslavement of one-third of the human race. The consular convention with the U.S.S.R. is supposed to be an example of such agreements.

On June 1, 1964 the convention was signed in Moscow and 11 days later was submitted to the U.S. Senate for ratification. Unlike the test ban treaty it represents the first bilateral agreement between the United States and the U.S.S.R. However, like the treaty of Moscow, which the test ban pact came to be known under Russian propaganda auspices, the convention was consummated in the chief imperio-colonialist capital of the world and has provided further propaganda fodder for Moscow. Russian propagandists have lost little time in offering this second piece of evidence as confirmation of Moscow's intentions to secure world peace. For, after all and on the record, both pacts originated in and bear the stamp of Moscow, the vanguard of world "peace." Indeed, we might as well call the convention the second treaty of Moscow. It's truly uncanny how low and how little our capacity is for propaganda advantage and value.

President Johnson was quick to hail this second treaty of Moscow. Before it was concluded, he said, "It is hoped that this treaty will be a step forward in developing understanding between the two countries which is so important in continuing the struggle for peace." The President has the illusory conception that the U.S.S.R. is not only a country such as ours but also a nation. He noted also at the time that the treaty would be "the first bilateral (two-nation) treaty between the United States and the Soviet Union." A few days later, when it was concluded, Johnson called it "a significant step in our continuing efforts to increase con-

Harris, Louis "Public Favors Dealing With Reds on Peace," a nationwide syndicated article.

The Evening Star, Washington, D.C., May 27, 1964.

The Washington Post, Washington, D.C., May 28, 1964.

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peace and understanding." And on June 12 in his message to the Senate he approvingly declared "I recommend that the Senate give early and favorable consideration to the convention and protocol submitted herewith and give its advice and consent to their ratification."

Apparently at that moment Johnson thought ratification by the Senate would be swift and smooth. In its glowing spirit of "peaceful coexistence," Moscow joined with the President in hailing the treaty of Moscow II. Foreign Minister Andrei A. Gromyko, for example, depicted the pact as "a positive step in the normalization and improvement of relations between the Soviet Union and the United States." As we shall see later, he had good reason to view the treaty as "a positive step." Also, many editorial comments in the United States appeared to encourage the "early and favorable consideration" sought by the President. One large New York organ observed then: "The conclusion of a Soviet-American consular agreement marks an important step toward further normalization of relations between the United States and the U.S.S.R." Another, in Washington, had this to say: "That the two countries took 10 years to come to the threshold of such a routine and normal agreement is sobering indeed." From our standpoint, we haven't seemed to learn much about the Soviet Union these past 30 years, particularly the changes in relations between the non-Russian republics and Moscow within the U.S.S.R. itself.

## BLACKOUT FOR THE CAMPAIGN

Despite all this high-powered approval of a most questionable treaty, fear suddenly seized its advocates. Serious doubt spread in administration circles about the ease with which ratification could be obtained. The Republican leadership in Congress began to question the prudence and validity of the pact. Senator Everett M. Dirksen, of Illinois, the minority leader, bluntly stated that the treaty would be "an unprecedented concession to the Soviet Union." He directed his criticism chiefly at the diplomatic immunity provided for consular officers who are supposed to be principally concerned with trade and consultative duties. With this provision, they would be immune from prosecution for crimes, including espionage. Senator ROBERT A. Taft, Republican of Ohio, high-ranking Republican of the Foreign Relations Committee, complained sharply about the lack of advance consultation on the pact, which was now being submitted for the Senate's "advice and consent."

This first flurry of attack frightened the Democratic leadership into postponing hearings on the treaty until the next Congress in 1966. As one report had it, "In an election year, the administration would prefer not to engage in a full debate on the merits of its policies toward the Soviet Union." This observation was amply confirmed when the chairman of the Senate Foreign Relations Committee, Senator J. W. Fulbright, let it be known that no hearings would be scheduled on the pact. The blackout action taken was not only in response to the initial Republican opposition but also to the heavy critical mail pouring into Congress from the

Midwest and West, where two of the expected three Soviet consulates would be established. The National Captive Nations Committee also placed itself on record in opposition to the convention as drawn.

One of the strange aspects of this background is this maneuver by the administration to prevent the American electorate from discussing this vitally important treaty during the presidential campaign. It would seem that in a democracy such as ours discussion on this and similar matters would be strongly encouraged rather than discouraged. Especially in this time during a presidential campaign, when issues should be thoroughly examined. In his acceptance speech the Republican candidate, Senator Barry M. Goldwater, alluded to the treaty but, unfortunately, failed to develop it into an issue in the course of the campaign.

Apparently the only effort made in this direction was by the Republican National Committee. In one of its pamphlets special mention was made of the "responsibility of Consular Convention with Moscow, sealing the permanent captivity of a dozen non-Russian nations in the U.S.S.R. and opening up the United States to further Russian espionage, racketeering, and propaganda (now before Foreign Relations Committee for ratification)." A second, widely distributed pamphlet urged the "Rejection of the Consular Convention as it is now written because it will be America's stamp of approval on Moscow's Russian empire, diminish Baltic independence which has been steadily maintained since the end of World War II. And in this country Russian consulates will act as spy centers and means of duress and propaganda among American ethnic groups." An open discussion of these and related points would undoubtedly have contributed to a productive national forum, which in essence a presidential campaign should be.

## ON THE EVE OF A HEARING

Following the administration's strategy, an examination of the Consular Convention is thus confined to the Senate and its Committee on Foreign Relations. Of course this doesn't mean that others won't take an interest in the subject, but by no means could it be of the scope and depth that a campaign of issues would have occasioned. At this writing the treaty is being discussed in few circles, while preparations are being made for hearings by the Senate Foreign Relations Committee. It will be interesting to observe how close and thorough the hearings and examination will be.

By all evidence, the conceptions of the committee's chairman regarding the Soviet Union will be countered by several of the fundamental criticisms directed against the Convention. In his unforgettable address last year on "Foreign Policy—Old Myths and New Realities," Senator Fulbright made the sound point that "If we are to disabuse ourselves of old myths and to act wisely and creatively upon the new realities of our time, we must think and talk about our problems with perfect freedom." Then he appropriately quoted Woodrow Wilson: "The greatest freedom of speech is the greatest safety because if a man is a fool, the best thing to do is to encourage him to advertise the fact by speaking." Evidently, the proponents of the Convention were unwilling to bank on this truth during the campaign.

For some time now the affable Senator from Arkansas has clung to the myth that some "300 million Russians inhabit the Soviet Union, let alone the earth." In the ad-

dress quoted above he strikes a further mythical note about the Soviet Union being a normal state with normal and traditional interests. That is, a state similar to ours in structure, composition and "for certain purposes" behavior. These and related myths, long entertained by the Senator, are not in the order of judgment and opinion, but rather of basic knowledge and understanding.

However, the spirit of free debate in which the Senator drenched his remarks is readily accepted by every thinking American. Such debate should have been staged in the 1964 campaign. In fact, it is high time for another "great debate" in Congress and across the Nation on fundamental subjects like U.S. policy toward the Soviet Union and the need for a coherent American cold war strategy. A staged debate on these issues has been long overdue. There exists now a concrete and specific subject before the Senator's own committee that should prove to be a valid test of his expressed bent for open inquiry and perceptive examination. The issue of the consular convention has broad policy ramifications and can easily ignite the type of healthy discussion the Senator seems to encourage.

Fulbright himself views the treaty as a small step toward "normalizing and regularizing" relations with Russia. Nevertheless, "we must think and talk about our problems with perfect freedom." It would be interesting to see whether the Senator himself is intellectually willing to shed some of his entrenched myths about the Soviet Union. On the surface, the subject of consular exchanges appears innocuous and procedural; beneath, it is fraught with profound implications for our moral and political position in the cold war.

## ESSENTIALS OF THE FACT

The State Department has, of course, been pressing for heavy Senate support of the treaty. It naturally would like to see its work, which was started with discussions about the treaty in 1949, when Khrushchev was here, and accelerated by actual negotiations beginning in September 1963, brought to a point of final culmination. On a reciprocal basis, the pact would lead first to the establishment of consulates in New York and Leningrad, and then gradually include other cities, very likely Chicago and San Francisco here, Odessa and Vladivostok there.

Supporters of the treaty keep stressing the rather outworn, self-legitimizing argument that this would be another step toward the easing of tensions. Whether it squares with the demands of political realities and what it implies for the aspirations of millions of non-Russian captives in the U.S.S.R. are considerations of negligible worth. Another chief argument advanced is that the pact would furnish more protection for U.S. citizens traveling and residing in the U.S.S.R. The case of Prof. Frederick C. Barghorn, who in 1963 was detained for a period of 13 days before American officials were notified, has been repeatedly used as an example of "spy arrests" which, it is argued, a consular system may tend to curb. The fact is that a politically and historically more realistic alternative to the consular treaty would realize the same objective, without all the deficiencies and disadvantages of the latter.

The Convention requires for ratification a two-thirds majority in the Senate and the President's signature before becoming law. Should it come to pass, the treaty as a law of the land would also comendate a history of deliberation that aporoidinally extends back to the early thirties. In a real sense, the treaty is a product of the rather naive thinking of the thirties which in many cases viewed the U.S.S.R. as "a great experiment."

\* CONGRESSIONAL RECORD, March 26, 1964, p. 6989.

\* The Washington Post, Washington, D.C., June 2, 1964.

\* CONGRESSIONAL RECORD, June 12, 1964, pp. 13191-92.

\* "United States, Soviet Union Sign Accord on Establishing Consular Posts," Associated Press, Moscow, June 1, 1964.

\* "The Consular Treaty," the New York Times, May 28, 1964.

\* "Welcome Accord," the Washington Post, May 28, 1964.

\* "Johnson Seeks To Keep Red Pact Out of Politics," the Sunday Star, Washington, D.C., June 28, 1964.

\* Republican National Committee, "I Need Your Help," Washington, D.C., 1964, p. 4.

\* Republican National Committee, "Republican Win Policy: Johnson No-Win Policy," Washington, D.C., 1964, p. 8.

\* "Fulbright Asks Details of Goldwater's Views," Associated Press, July 25, 1962.

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and diplomatic bluntings on the eternal solidarity of Soviet Russia's internal empire. The reader should find most entertaining the State Department's wiggly and vacuous responses to this essential criticism: "the convention does not deal with the question of opening consulates which will be the subject of separate negotiations." \* Not only is the conceptual construction of the Convention overlooked but also one's credibility is taxed to the point of believing that with the foundation laid by the Convention our Department of State would religiously observe the Russian, non-Russian line of demarcation.

Finally, and worse still, as an additional step toward peaceful coexistence, the Convention deprives us of a cold war advantage with no parallel sacrifice by the Russians. In fact, as shown above, it plays beautifully into Soviet Russian hands. It also makes mockery of the President's own statements. Is there a rational alternative to this ill-advised Convention?

#### THE ALTERNATIVE OF AMBASSADORIAL EXCHANGES

In his April 2, 1964, statement to NATO, President Johnson stressed, "In particular we must be alive to the new spirit of diversity that is now abroad in Eastern Europe." By all means, let's do so, starting with the multinational U.S.S.R. The consular pact runs counter to this statement, but the initial establishment of U.S. Embassies in Ukraine and Byelorussia would demonstrate how truly alive we are to the "spirit of diversity." Not only this, it would realize with greater effectiveness all the objectives cited for the consular pact without losing any advantage in principle or kind in the overpresent cold war arena. In contrast to the pact, it would furnish objective credence to the President's words: "If we are to live together in peace, we must come to know each other better."

Once we cast aside the populational and constitutional myths mentioned earlier, we can begin to understand that scarcely half of the population in the U.S.S.R. is Russian and that Kiev, the national capital of Ukraine, is no political counterpart of Chicago; nor is Minsk, the Byelorussian capital, a substantive parallel to San Francisco.<sup>1</sup> In short, the United States is a single nation; the U.S.S.R. is not—it's a diversity of nations. Thus, logically, if we are wise and true to ourselves and also to the realities in the U.S.S.R., we should urge a consular pact for Russian cities, the Leningrad, in federated Russia (The Russian Soviet Federative Socialist Republic) administratively linking the consulates with our Embassy in Moscow.<sup>2</sup> At the same time, in behalf of realistic contacts with diverse nations, we should also prefer direct and full diplomatic relations with Ukraine and Byelorussia, at least as a start.

This important subject of ambassadorial exchanges with the national governments of the non-Russian republics in the U.S.S.R. has an even more interesting background than the consular convention.

In 1963 a special subcommittee of the House Foreign Affairs Committee considered every aspect pertaining to the exchange of ambassadors with Ukraine and Byelorussia.<sup>3</sup> Hearings on House Concurrent Resolution 58, which was sponsored by the late Congressman Lawrence H. Smith, of Wisconsin, brought out these salient facts: (1) Article

16a in the U.S.S.R. Constitution stipulates that "Each Union Republic has the right to enter into direct relations with foreign states and to conclude agreements and exchange representatives with them"; (2) being charter members of the United Nations, Ukraine and Byelorussia are de facto recognized by us;<sup>4</sup> (3) despite a secretive and abortive attempt by the British Government in 1947 to make direct diplomatic contacts with these two nations, open negotiations are justified both by the demands of changing times and all the legal credentials involved; and (4) if we are earnest about understanding and maintaining peaceful relations with different nations and peoples, then we should make every effort toward the non-Russian nations in the U.S.S.R.

Every conceivable criticism of the resolution was treated, including those submitted by the State Department in opposition to the proposal.<sup>5</sup> The Department expressed itself twice, once in a statement, dated June 28, 1963, to Senator H. Alexander Smith, who took a keen interest in this, and later, on March 28, 1964, in a communication to the Chairman, of the House Foreign Affairs Committee, Mr. Robert B. Chaperfield. Both statements are virtually alike.

In view of its present pressure for the consular pact, it is interesting to note some of the Department's arguments against ambassadorial exchange. One, it is "doubtful whether the American people would look with favor upon an increase in the number of Communist missions in the United States." Two, it "would require a large expenditure of money by the U.S. Government." These two major arguments might just as well be applied against the consular pact. Again, spying is a two-way street, and the multiple benefits to be derived from ambassadorial exchanges would more than justify the money expended.

The Department also argued that U.S. Embassies in Ukraine and Byelorussia would bolster the myth of their sovereignty and pave the way for further participation of these republics in international organizations. Surely U.S. diplomatic missions in Bulgaria, Czechoslovakia, and the other captive countries are no evidence of their sovereignty. The second point is utterly specious when one surveys, for example, Ukraine's participation in the International Labor Organization, UNESCO, and many other bodies.

Having embassies in the countries taken over by the Communists with the help of the Soviet Russian armies does not in any degree imply recognition of the military aggression against them by Communist Russia or the regimes installed therein. It is a matter of simple and practical expediency on our part, which would provide us with additional opportunity to know at first hand what is actually going on in these two captive nations.

Moscow may refuse the diplomatic exchange regarding Ukraine and Byelorussia, although such ambassadorial exchanges are now taking place on an impressive scale between the countries of the world and the newly arising independent states of Africa. Let us ask Moscow in the court of world opinion: Who is colonialist and imperialist? The United States or the U.S.S.R.? Let us take this opportunity to use this tactical gambit and to find out how Moscow really feels about Ukraine and Byelorussia, which it claims are "free and sovereign" and which may not only maintain diplomatic relations

with foreign states, but even may secede from the Soviet Union.

Many other possible criticisms, such as the effect of this action on our nonrecognition of Red China, the possibility of Moscow rejecting our offer, or the attitude of neutralists, were so convincingly answered that the special subcommittee, headed by Mrs. Francis P. Brower, unanimously favored the Smith resolution. Before the measure could be considered by the full Foreign Affairs Committee, the State Department intervened in July 1963, requesting that it be given time for its further study. The request was granted and, reportedly, a short time later the resolution's sole sponsor passed away.

Actually, no serious study of this subject was undertaken. In 1964, Under Secretary of State Murphy admitted this to the writer. Two years later, Assistant Secretary William B. Macomber confirmed this fact when, in response to an inquiry by Representative LEONARD FARMSTEIN, the new sponsor of the resolution, he stated that "the Department has no record of a study such as you described having been made subsequent to this time."<sup>6</sup> He enclosed a copy of the Department's 1963 statement to Mr. Chaperfield.

The need for a full examination of this issue is more pressing now than ever before. The basic criteria for diplomatic recognition, as set forth by Secretary of State John Foster Dulles in an Overseas Press Club address in March 1964, are fully satisfied by the proposal for ambassadorial exchanges with Ukraine and Byelorussia. They entail (1) usefulness of diplomatic intercourse—informational, psychological, cultural, etc., (2) absence of any moral approval of the governments involved, and (3) no intense hostility toward the United States. There is no problem on this score.

The real problem is the mythical notions that many harbor with respect to the U.S.S.R. They represent the case of old myths about old realities. The occasion for Senate judgment on this consular pact is also an occasion for judgment on ambassadorial exchanges. As the President not too long ago put it, "Our guard is up, but our hand is out." Question: Will the hand remain freed from old myths?

#### ADDITIONAL COPIES OF SENATE DOCUMENT NO. 68

Mr. FRIEDL. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 507.

The Clerk read the house resolution, as follows:

*Resolved*, That there be printed for the use of the House of Representatives one hundred thirty one thousand seven hundred additional copies of Senate Document No. 68 which contains a brief explanation of the elements of entitlement to and benefits available under the hospital insurance benefits for the aged and the supplementary medical insurance benefits for the aged enacted in the Social Security Amendments of 1966, pursuant to H.R. 6675.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. HAYS. Mr. Speaker, reserving the right to object, in the interim, the gentleman has explained this bill to me at length and in great depth and, therefore, I will not object further.

\* Dobriansky, Lev E., "Survived Interest in U.S. Diplomatic Relations With Ukraine and Byelorussia," the Ukrainian Quarterly, vol. XVIII, autumn 1962, p. 261.

<sup>1</sup> Department of State communication, May 14, 1964.

<sup>2</sup> State of the Union message, Jan. 4, 1965.

<sup>3</sup> See Dobriansky, Lev E., "Nations, Peoples, and Countries in the U.S.S.R.," U.S. GPO, Washington, D.C., 1964.

<sup>4</sup> "Favoring Extension of Diplomatic Relations With the Republics of Ukraine and Byelorussia," U.S. GPO, Washington, D.C., 1963.

<sup>5</sup> "Review of the United Nations Charter," U.S. Senate Committee on Foreign Relations, U.S. GPO, Washington, D.C., 1964, pp. 1829-1861.

<sup>6</sup> Dobriansky, Lev E., "The Dilemma of the State Department on Diplomatic Relations," the Ukrainian Quarterly, vol. X, spring 1964, pp. 158-166.

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Foreign Affairs held immediate hearings on this ill-advised pact. Although it is not within the jurisdiction of this body of Congress to ratify or reject the treaty, yet in view of Senator Fulbright's arbitrary denial of hearing expert public witnesses and other Government witnesses, such as our Director of the Federal Bureau of Investigation, J. Edgar Hoover, it is our moral obligation both as Representatives of the people and citizens of this republic to afford at least the opportunity for a fair, honest, and open public examination of this dangerous and contradictory pact.

On August 8 I wrote to the distinguished chairman of the House Foreign Affairs Committee, Dr. Thomas E. Morgan, asking for possible committee consideration. This afternoon I have again communicated with Dr. Morgan, hoping that in view of the grave questions involved, the growing public anxiety, and the lack of Senate scrutiny, the Foreign Affairs Committee will study the matter.

Anyone who has taken the trouble to read the Senate Foreign Relations Committee publication on the "Consular Convention With the Soviet Union," consisting of a single hearing with Secretary of State Dean Rusk and his aids, cannot but be impressed by both the rigged character of the hearing and the confused notions surrounding the pact. For example, on page 7 the chairman replies to a member of the committee that it "would have to vote on it after we have committee hearings." As though to confirm Senator Hickenlooper's obvious suspicion, only one hearing was held, involving only the Department of State, and not hearings, affording those who are opposed to the treaty the freedom of open, critical discussion.

As to confusion of thought on this treaty, on page 3 there is a caption "Consular Convention with Russia." The title of the pamphlet and the actual treaty in substance accurately refer to the "Consular Convention with the Soviet Union." As many of our university graduate students in East European studies now know, Russia and the Soviet Union are not synonymous. Is this treaty with Russia or is it with the U.S.S.R.? Logically and historically it cannot be with both. Yet we have the spectacle here, bearing the imprint of one of our highest legislative committees, fallaciously confusing the two, which in many a graduate school would rate a zero.

Mr. Speaker many other examples of lack of understanding and confused thought regarding this treaty may be cited. To prevent a blind ratification of this pact by our sister body, I urge the leadership of this Chamber to call for immediate, open and public hearings on the treaty by our Foreign Affairs Committee, inviting Mr. Hoover and private citizens to testify. In our democratic framework this is the least that our citizens can expect—an open, frank, and critical discussion of a seemingly innocuous pact.

To demonstrate the conflict of views on this issue, which in all fairness should be given a thoroughly legislative airing, I request that the following items be appended to my remarks: First, the Au-

gust 13 editorial on "Normal Relations" in the Richmond News Leader; second, the August 6 Washington Post editorial on the "Consular Convention" and the full and unedited reply to it by Dr. Lev K. Dobriansky, professor of Georgetown University and president of the Ukrainian Congress Committee of America; and third, the Washington Post's edited publication of this reply in its August 16 issue, which speaks for itself:

[From the Richmond (Va.) News Leader, Aug. 13, 1965]

## NORMAL RELATIONS

Details are now at hand concerning the swift railroad job, with Senator Fulbright as chief engineer, which was done to get the Soviet Consular Treaty out of the Senate Foreign Relations Committee some days ago. Headline doubters will remember that this proposal came forth with some fanfare early in 1964. Its purpose was to enable the Soviet Union to establish consulates in various parts of the United States and to let the United States set up consulates in the Soviet Union.

When the deal got a brusque public reaction, it went immediately into the deep freeze. This treaty was definitely controversial. Controversial subjects are not discussed in election years. Nineteen hundred and sixty-four was an election year. End of debate on the consular treaty.

One can nod smugly at sharp politics, but one cannot nod at the suppression of the public discussion that ought to go with important congressional deliberation. If 1964 was a bad year to discuss getting cozy with the Soviets, 1965 is worse. Khrushchev is gone; the committee government of the Kremlin is edgy. Soviet relations are in a far more dangerous state; American planes are being shot down by the Soviet missiles in Vietnam. So is there a full-dress hearing on the admittedly controversial treaty? Does Fulbright dare?

The consular treaty has long been in seeming repose. Late last month, the usual hints leaked out: The proposal was being revived even though Soviet antagonism was at its height. The scholarly and jovial chairman of the Captive Nations Committee, Prof. Lev Dobriansky, wrote to the Senate Foreign Relations Committee as just one witness who wanted to testify at public hearings. Dr. Dobriansky is a specialist in Soviet affairs who is frequently called upon as an expert witness in legislative hearings. He was informed by an aid to the Foreign Relations Committee that it was not known whether outside witnesses would be called.

On July 30, the only hearing was held. The sole witness was Secretary of State Dean Rusk, with his legal adviser. An August 2, Dr. Dobriansky wrote to Senator Fulbright to urge open hearings. But the next day, the committee in executive session reported the treaty out on a voice vote. Senator Bourke Hickenlooper was the only dissenter present. Senator Frank Lautner, another opponent, was not there. Thus after listening only to the viewpoint of the administration, the controversial treaty went to the Senate floor.

Among the arguments that Senator Fulbright did not want to hear—or did not want the American people to hear—were these:

J. Edgar Hoover's recent testimony that Soviet consulates would broaden Soviet espionage and make security more difficult.

The precedent-shattering grant of diplomatic immunity to consular officers.

The difficulty that Latin American nations will face in rejecting Soviet consulates after the United States has accepted.

The impracticability of trade with a nation that does not respect copyright or patent agreements.

The failure to obtain concessions for the

property rights of American citizens who are former nationals of the Soviet states.

De facto recognition of the incorporation of Lithuania, Latvia, and Estonia into the Soviet empire.

None of these arguments was heard. Instead, the only arguments were those of Dean Rusk, who hoped that the agreement would help normalize relations. What is needed is an agreement to normalize the Foreign Relations Committee.

[From the Washington (D.C.) Post, Aug. 6, 1965]

## CONSULAR CONVENTION

The Senate Foreign Relations Committee has done well in reporting out at last the consular convention with the Soviet Union which will so clearly benefit the United States. The committee acted on a voice vote with only one dissenting Member—Senator Hickenlooper.

Senators Lautner and Murrow, who were absent, may oppose the treaty when it goes before the full Senate but it probably will be and it certainly ought to be approved.

It provides for consular protection and services for businessmen, tourists and other nationals of one country while in the other. It opens the way for reestablishing consulates which have been closed since the outbreak of the cold war. With or without the consulates, the Soviet Union has a ready enough come to our open society, but the privilege of having consulates in various additional places in the Soviet Union is a matter of great advantage to this country.

Both President Johnson and Secretary of State Rusk have vigorously endorsed the consular convention since it first was agreed to at the end of May last year. The committee has taken its time in acting and it is to be hoped that the Senate will promptly approve it and send it to the White House.

AUGUST 6, 1965.

TO THE EDITOR OF THE WASHINGTON POST:

Your August 6 editorial on the consular convention contains, as usual, a mixture of truth and fiction. It is true that the Senate Foreign Relations Committee has reported this treaty out, but you fail to inform your readers how it was misreported through the committee without fair and open public hearings. Also, your statement that the "committee has taken its time in acting" is a grossly misleading half-truth. You know as well as I do that Senator Fulbright simply sat on the pact since June 1964, calling for hearings and then postponing them, and finally, in the most undemocratic manner railroaded it through committee for a blind ratification by the Senate.

There is no question but that the advocates of this harmful treaty, who are eager to appease the Russian imperio-nationalists at any price, have feared right along fair and open public hearings on the Soviet Treaty of Moscow. A considered and full exposure of its contents would lead to its rejection by the Senate. The statement I addressed to Senator Fulbright in my letter of August 4, I also address to you: "Those who speak piously and loudly about democracy and the constant need for open and critical, democratic discussion of our foreign policy might well, in the quiet of their consciences, reflect on the gross discrepancies between their words and their deeds." If any extremist action was ever taken in any treaty or piece of legislation, this certainly is it. And your comments seem to support such action.

The last-minute maneuver of having Secretary Rusk testify on this ill-considered and Moscow-oriented pact does not justify the demand of moral responsibility for fair and open public hearings. Moreover, as I pointed out to Senator Fulbright and can easily prove, by "virtue of his antiquated and in-



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hundreds of priests, ministers and laymen still in jail.

Fourth. A restoration of the administrative independence of the former Hungarian Bolyai University from the Rumanian Babes University, and the same procedure to be applied to the Pharmaceutical-Medical College at Marosvásárhely—Turgu Mures. Restoration whenever possible of the administrative independence of Hungarian high schools and grade schools, and in any case expansion of the Hungarian sections in the existing ones.

Fifth. Creation of a statewide Hungarian cultural federation which exists even in other Communist countries, the creation of a separate writers' union and actors' academy and opening to the public of the Hungarian libraries and folk art museums at Kolosvar—Cluj, Marosvasarhely—Turgu Mures, and Nagyenyed—Alud.

Sixth. Permission to use the Hungarian language in speech and writing in Hungarian-inhabited areas in public and in official documents.

Seventh. Reattachment of the districts of Haromszek—Trei Scaune—to the Hungarian Autonomous Province and the restoration of the original boundaries—1953-61—of the same.

Eighth. More proportionate employment of Hungarians in local administrative offices, including the police.

Ninth. Guarantee of the freedom of attending the churches and synagogues and promotion of the education of those who want to enter priesthood or ministry. Restoration of the full freedom of Aron Marton, bishop of Gyulafehervar—Alba Julia—and filling the vacant sees.

#### THE EISENHOWER DEMURRER

Mr. GOODELL: At the request of Mr. Watson was granted permission to extend his remarks at this point in the Record and to include extraneous matter.

Mr. GOODELL: Mr. Speaker, I believe the permanent Record of the Congress should include a very significant and intelligent editorial which appeared in the New York Times today. Therefore, under unanimous consent, I include the following entitled, "The Eisenhower Demurrer".

#### THE EISENHOWER DEMURRER

The battle on Van Tuong Peninsula makes evident the extent to which American troops are now directly engaged in combat in South Vietnam. In these circumstances the question of how the United States got into this land war in Asia takes on political as well as historical interest.

Both were involved in the remarks of former President Eisenhower, who conferred with Republican congressional leaders, then demurred from President Johnson's frequent suggestion that the current military involvement in Vietnam is the consequence of a Republican commitment given in 1964. The fact that the Korean war became a critical domestic political issue in 1952 is in all minds.

General Eisenhower emphasized his belief that "the Communists must be stopped in Vietnam." But he said that his October 1964 letter to President Ngo Dinh Diem, often quoted by President Johnson, was a pledge of foreign aid, not military involvement. And he stressed that he never made a uni-

lateral military commitment to South Vietnam, only a multilateral engagement through the Southeast Asia Treaty Organization. Both points are well taken.

It was a unilateral decision by President Kennedy in 1961—not a SEATO decision—that launched the program of massive American military assistance to South Vietnam. Most Asians and most American allies in Europe have always had deep reservations about it. This undoubtedly will continue to be one of the heaviest mortgages on American policy in southeast Asia and it would be unwise to ignore it.

The shift from military assistance and combat advice to direct participation by American combat troops in the Vietnamese war has again been a unilateral American decision, this time by President Johnson. Not only was congressional debate avoided, but there were repeated denials that such a decision had been made. Indeed, the whole effort was to make it appear that nothing had changed in American policy since 1964.

The American predicament in Vietnam is likely to deepen long before it is eased. American casualties are certain to mount. Solutions are complicated by a colonial heritage not of American making, but of which Americans unfortunately may become the heirs as their military numbers grow on Asian soil and as their firepower, unavoidably, takes a toll of civilians as well as guerrillas.

The military decisions of the past closed out diplomatic options that then were open. This is what must be avoided in the future. Difficult decisions that lie immediately ahead may become even more difficult politically when warfare gives way to negotiation, as one day it must. It is essential that the country be clear at every stage where it is being led and why. If this has not always been the case in the past, it is all the more reason for straightforwardness to be the rule now.

#### OMNIBUS FARM BILL

(Mr. MOORE (at the request of Mr. Watson) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MOORE: Mr. Speaker, I would like the Members of this body to know that I firmly oppose H.R. 9811, the omnibus farm bill. The very fact that it is an omnibus bill disturbs me. Each of the programs contained in this legislation calls for the commitment of millions of dollars, and I therefore believe that each should be closely examined by the House. Without a separate look at each program, how on earth can we ever attempt to separate, so to speak, the "wheat from the chaff"? This bill means higher feed grain costs to 19,000 poultry farmers and 16,000 milk cow farmers in West Virginia.

H.R. 9811 proposes an extension of existing subsidy programs which we all know have failed miserably in the past, and the establishment of new programs that will necessarily result in the spending of billions of dollars in the next 4 years. I agree that some of the Department of Agriculture's programs have been necessary and successful. The expenditures for the many commodity programs however have been neither necessary nor have they been successful in improving the income of our Nation's farmers. Meanwhile, the cost of our commodity programs has increased tremendously since 1960. The 1964 rice

program is up \$12.4 million; wheat is up \$48.1 million; the feed grain program is up \$554.3 million; the cotton program is up \$304.4 million; and the peanut program is up \$15.3 million. But even with this substantial contribution by the U.S. taxpayer, the net farm income is up only \$900 million over 1960.

Obviously these programs are deficient if the Federal Government has to spend \$2 billion to increase farm income by only \$900 million.

Farm income is no greater now than it was 7 years ago. And today, under the proposed legislation before us, in addition to the proven failure of the current commodity programs, cotton is to be included on the list of programs dependent on direct Government payments. This bill proposes to reduce cotton acreage by cash payments to farmers who cut back their present acreage from 18 to 35 percent. We all know that it does not follow that production will necessarily decrease merely because of a reduction in acreage. On the contrary, experience proves that production will actually increase.

Another inconsistency which bothers me is the fact that while H.R. 9811 is supposed to persuade cotton farmers to cut production, it is apparently at the same time allowing any cotton grower the opportunity to produce all the cotton he wants, without any risk of penalty and of course without subsidy.

If this measure is defeated, most of the commodities included will be covered by existing programs which, although not really effective either, are still preferable in my opinion to the proposed costly programs under this bill. Of course if I could have my way, there simply would be no Government subsidies at all in American agriculture. I frankly believe that the agricultural community must move back to its original free enterprise position. It must go back to the market-price system rather than attempting to operate under the current governmental price-fixing setup.

As I said previously, there have been a few USDA programs which have been successful, and this is why I was in favor of the ASC program. But on the whole, these farm subsidies have not accomplished anything for the small farmer. And, may I assure you that the small farmer, particularly in the State of West Virginia, is who I am most concerned about. Accordingly, since H.R. 9811 merely calls for a status quo in the agricultural situation in this country and there seems to be no suggestion of a substantial improvement nor even an attempt to solve the farm problems, I cannot and will not support the bill.

#### CONSULAR CONVENTION WITH THE U.S.S.R.

The SPEAKER. Under previous order of the House, the gentleman from Illinois (Mr. DERWINSKI) is recognized for 15 minutes.

Mr. DERWINSKI: Mr. Speaker, the growing interest in Senator Fulbright's railroading of the Consular Convention with the U.S.S.R. encourages me to recommend again that our Committee on